

STATE OF OHIO }
 } SS
COUNTY OF WARREN }

AFFIDAVIT IN SUPPORT OF PLAINTIFF'S MOTION FOR THE APPOINTMENT OF COUNSEL

1. I am the Plaintiff in the above entitled case. I make this affidavit in support of my Motion for the Appointment of Counsel.
2. The complaint in this case alleges that the Plaintiff was subjected to the misuse of force by one sergeant, that twisted, bent and pulled upon Plaintiff's left wrist while already handcuffed.
3. This is a complex case because it contains several different legal claims, with each claim involving one defendant.
4. The case involves medical issues that may require expert testimony.
5. The Plaintiff has demanded a jury trial.
6. The case will require discovery of documents and depositions of a number of witnesses.
7. The testimony will be in sharp conflict, since the Plaintiff alleges that the defendant assaulted him.
8. The Plaintiff has only a GED and has no legal education.
9. The Plaintiff is serving a sentence in punitive segregation, for this reason he has very limited access to legal materials and has no ability to investigate the facts of the case, for example; by locating, interviewing other inmates who were apprised of the situation before hand.
10. Plaintiff has won Summary Judgement against Defendant, Matthew Thomas for excessive force.
11. As set forth in the memorandum of Law submitted with this affidavit, these facts, along with the legal merit of the Plaintiff's claims, support the Appointment of Counsel to represent the Plaintiff.

Wherefore, the Plaintiff's Motion for the Appointment of Counsel should be granted.

John H. Barnes, Pro Se
John Lamar Barnes

Sworn to before me on this 05th day of January, 2004 A.D.

Regina Gray
Notary Public



REGINA GRAY
Notary Public, State of Ohio
Commission Expires 7/1/05

Mr. John L. Barnes #336-955
P.O. Box 120 WCI
Lebanon, Ohio 45036-0120

December 31, 2003

To: JOSEPH SUAREZ

I am writing this inquiry as a lay person in regards to legal matters and am in need of legal assistance in a civil matter. I'm sure your calendar is full, still I trust you will consider handling this matter for me, or at the very least offer some sort of referral.

Just to give you a brief overlay of this matter let me say, first of all I have already surpassed the Motion for the Summary Judgement phase of my case. In fact, I was awarded Summary Judgement and am now moving up on and facing the negotiation processes. On January 15th of 2004 I have a scheduled telephone conference with the Assistant Attorney General, as well as, with Judge Spiegel concerning this matter and I am sure during this conference negotiations concerns will be discussed.

If you are interested in this matter and would like to learn more details you can reach me at the above-mentioned address. I will be looking forward to hearing from you.

Thank you for your time and consideration.

Sincerely,


John L. Barnes #336-955

Mr. John L. Barnes #336-955
P.O. Box 120 WCI
Lebanon, Ohio 45036-0120

December 31, 2003

To: Adams, Steiner, Walker Mann & Dising, P.L.L.C.

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John L. Barnes #336-955

Mr. John L. Barnes #336-955
P.O. Box 120 WCI
Lebanon, Ohio 45036-0120

December 31, 2003

To: Alphonse A. Gerhardtstein,

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John L. Barnes #336-955